LANGUAGE ACCESS PLAN



Administrative Offices of the Courts 820 West Fourth Avenue Anchorage, Alaska 99501

> July 2009 Revised September 2012

ALASKA COURT SYSTEM

LANGUAGE ASSISTANCE PLAN (LAP) Original Plan Approved July 2009 Revised September 2012

I.	Legal basis & purpose	3
II.	Needs assessment Population Four-factor Test The Four-factor Test Applied to Alaska Statewide Responsibilities The Four Judicial Districts	3
III.	Plan to provide access to court services Alaska Supreme Court Fairness & Access Committee Efforts Language Interpreter Center Interpreter Roster Long Range Plan Professional Interpreter Qualifications Registered Interpreter Certified-court Interpreter Language Assistants Funding Efforts Translations Signage	6
IV.	Language resources → Statewide Resources → Local Resources → New Initiatives	1
V.	Training	3
VI.	Public Input	13
VII.	Monitoring ➤ Evaluation of the Language Assistance Plan	3
VIII	. Appendices	15

I. Legal Basis and Purpose

The purpose of this plan is to provide a framework for the Alaska Court System (ACS) to ensure timely and effective access to court services for persons with limited English proficiency (LEP). It is designed to respond to Title VI of the Civil Rights Act of 1964, and to the requirements imposed by Executive Order 13166 and related guidance as they apply to recipients of federal funds.

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d et seq., provides that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." In August, 2000, Executive Order 13166², and subsequent policy guidance documents³ were issued to clarify the provisions of Section 601 of Title VI of the Civil Rights Act of 1964 that prohibit discrimination based on national origin in any program or activity receiving federal financial assistance. Executive Order 13166 signaled an increasing awareness of the equal access rights of LEP individuals and makes clear that the existing Title VI prohibition against discrimination includes discrimination based on language. Executive Order 13166 clarifies existing responsibilities to ensure that LEP individuals have meaningful access to important federal, and federally funded, information, benefits, and services. The ACS receives federal funds and, as such, falls within the purview of Title VI.

On June 18, 2002, the U.S. Department of Justice (DOJ) issued policy guidance to recipients of its funding programs, including the courts, and provided that recipients of DOJ funds take reasonable steps to ensure "meaningful access" to their programs and activities by LEP persons. DOJ further requires recipients to develop an implementation plan to address the identified needs of the LEP populations served.⁴

II. Needs Assessment

Population. The 2010 U.S. census estimated Alaska's population at 710,231. The 2010 Census shows that the five largest cities are Anchorage, 291,826; Fairbanks 31,535; Juneau, 31,275; Sitka, 8,881; and Ketchikan, 8,050.⁵

The number of Alaskans who were less than fluent in English rose between 2000 and 2010, from almost 31,000 to 39,649.⁶ This number includes both Alaskan Natives speaking Alaska

http://live.laborstats.alaska.gov/cen/acsdetails.cfm?l=1&ay=20105&an=Alaska&ds=13 (last visited, Sept. 18, 2012)

¹ Under the DOJ Guidance, LEP persons are "individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English." DOJ Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Persons, 67 Fed. Reg. 41455, 41459 (June 18, 2002).

² "Improving Access to Services for Persons with Limited English Proficiency." Exec.. Order No. 13,166, 65 Fed. Reg. 50119 (Aug. 16, 2000).

³ Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons with Limited English Proficiency, 65 Fed. Reg. 50123 (Aug. 16, 2000).

⁴ 67 Fed. Reg. 41455 (June, 18, 2002). http://www.usdoj.gov/crt/cor/13166.php (last visited Mar. 27, 2009).

⁵ 2010 Census Data, Populations for Alaska, http://2010.census.gov/news/releases/operations/cb11-cn83.html (last visited September 13, 2012).

⁶ American Community Survey,

Native languages as well as foreign-born persons speaking other languages. In 2010, the number of foreign born persons age 5 and older in Alaska who were LEP rose to 22,536, representing a 47.9% increase since 2000. In certain areas of the state, those who do not speak English fluently are a much higher percentage of the population. For instance, in 2010, 68.6% of the population in the Bethel region did not speak English at home, and 34.9% reported not speaking English very well. In Kodiak, 23.8% did not speak English at home, and 10.7% reported not speaking English very well.

As of September 2012, the Anchorage School District—the state's largest district—reported over 91 different languages are spoken by the student population. After English, the five most common languages are Spanish, Hmong, Samoan, Filipino, and Yu'pik.⁹

Four-factor test. DOJ's LEP Guidance helps recipients with fulfilling their legal responsibilities to provide meaningful access to LEP persons. This policy guidance provides a description of the four factors recipients of federal funding should consider in fulfilling their responsibilities to LEP persons. DOJ uses these factors in evaluating whether recipients are in compliance with Title VI and its regulations. These four factors are:

- 1. the number or proportion of LEP persons in the eligible service population;
- 2. the frequency with which LEP individuals come into contact with the program;
- 3. the importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation/translation); and
- 4. the resources available to the recipient and the costs of providing various types of language. services.¹⁰

The four factors applied to Alaska:

1. The number or proportion of LEP persons in the eligible service population

The 2010 American Community Survey reports the top four spoken languages, other than English, by persons 5 years and older in Alaska are Aleut-Eskimo languages (5.02%); Spanish (3.51%); Tagalog (2.32%); and Russian (.667%). Over 6% of the state's population five years and older speak English "less than very well" (38,893 persons out of 639,829). A number of areas in the state have a significant number of Yup'ik, Tagalog, Inupiaq, and Spanish speakers reporting speaking English "not well" or "not at all." In certain areas of the state—notably, the

http://live.laborstats.alaska.gov/cen/acsdetails.cfm?l=16&ay=20105&an=Bethel+Census+Area&ds=13 (last visited September 14, 2012).

http://live.laborstats.alaska.gov/cen/acsdetails.cfm?l=1&ay=20105&an=Alaska&ds=13 (Last visited September 14, 2012).

⁷ American Community Survey, Data for Bethel Census Area,

⁸ American Community Survey, Data for Kodiak Island Borough,

http://live.laborstats.alaska.gov/cen/acsdetails.cfm?l=26&ay=20105&an=Kodiak+Island+Borough&ds=13 (last visited September 14, 2012).

⁹ Source: Anchorage School District, located at http://www.asdk12.org/aboutasd/ (last visited September 14, 2012).

¹⁰ Source: Department of Justice, Language Access Unit, located at http://www.gpo.gov/fdsys/pkg/FR-2002-06-18/pdf/02-15207.pdf (September 12, 2012).

¹¹ American Community Survey 2010, Alaska,

Bethel region (68.7%), and Unalaska (58.9%)—the majority of the population does not speak English fluently. 12 13

The two main Eskimo groups, Inupiat and Yup'ik, are distinguished by their language and geography. The former live primarily in the north and northwest parts of Alaska and speak Inupiaq, while the latter live in primarily the south and southwest and speak Yup'ik. 14

2. The frequency with which LEP individuals come in contact with the program

The Alaska Court System primarily collects language access or contact data from four sources.

A. Clerks of Court Survey (Appendix C)

In 2011, the Administrative Office of the Court (AOC) surveyed superior and district court locations to determine the manner and frequency with which LEP individuals come in contact with the court system. The findings from the 29 respondents are as follows:

- Customer service and front counter clerks are likely to first recognize that interpreter services are needed by the customer;
- The clerk of court is usually the first to receive a formal request for interpretation services for court hearings;
- Courts responding noted that over 23 different languages were requested with the most frequently requested languages being Filipino, Spanish, Yup'ik, Aleut, Hmong, Russian, Ukrainian, and Vietnamese;
- Since 2009, four courts reported an increase in interpreter requests while 18 thought the requests remained the same; and
- To respond to interpretation requests, courts primarily used the Language Interpreter Center (LIC), the Language Line Services (LLS), and bilingual court employees.

B. <u>Fiscal Operations—Language Interpretation Needs Report (Appendix D)</u>

The AOC has collected data to determine how frequently LEP persons require language services for court events. In FY11, the trial courts received 429 requests for interpreter services. In FY12, the trial courts received 598 requests for interpreter services (a 39.4% increase). In FY12, the top five requested languages statewide were Spanish (which saw an increase of 29.8% over the number of requests in FY11), Hmong (an increase of 54.4%), Korean (an increase of 141.4%), Tagalog (which had 35.2% fewer requests than in FY11), and Russian (a decrease of 27.8%).

In FY12, the most requests for interpreter services came from the Third Judicial District (specifically the Anchorage trial courts) with a total of 496 requests or 86.6% of all requests for interpreter services.

http://live.laborstats.alaska.gov/cen/acsdetails.cfm?l=16&ay=20105&an=Bethel+Census+Area&ds=13 and American Community Survey 2010, Unalaska,

http://live.laborstats.alaska.gov/cen/acsdetails.cfm?l=2430&ay=20105&an=Unalaska+city&ds=13 (Last visited September 14, 2012).

¹² American Community Survey 2010, Bethel Census Area,

¹³ See Appendix A for all of American Community Survey 2010 Data

¹⁴ See Appendix B for the Alaska Language Map

C. Language Interpreter Center

In 2012, the LIC (established in 2007) provided in-person interpreting services for over 119 court proceedings. The languages most often requested were Spanish, Russian, Korean, Tagalog, and Hmong. LIC data also reflects an increased need for Alaska Native languages, and other dispersed languages (i.e. Thai, Nuer).

3. The importance of the benefit, service, information, or encounter to the LEP person (including the consequences of lack of language services or inadequate interpretation/ translation)

The ACS offers critical services both inside and outside the courtroom. These services include but are not limited to initial contact with the clerk's office; matters involving domestic violence; family law matters; eviction actions; alternative dispute resolution or mediation programs; juvenile justice matters; actions having potential impact on immigration status; criminal actions; and more. Each is a critical encounter to participants in the justice process. When those participants accessing court services are also LEP persons, the provision of reasonable and appropriate language assistance may be necessary to ensure full access to court services, and to preserve the integrity, effectiveness, and value of the justice system.

4. The resources available to the recipient and the costs of providing various types of language services.

The ACS is a state-funded branch of government with access to the resources of state government as a whole. Alaska's expansive geography, lack of infrastructure and technology needed for telephonic and video interpreting services, and the limited availability of competent interpreters remain challenges to providing language access. Most recently, the court requested funds from the legislature to further improve its service delivery. The AOC is revising court rules and procedures as they apply to limited English proficient parties and witnesses in a case.

Statewide responsibilities. Alaska has a unified and centrally administered judicial system. The administrative director has taken the lead to improve court interpreter services in Alaska's four judicial districts (see Section 3). The AOC trains judicial officers and court personnel on the requirements of Title VI and the roles and responsibilities of interpreters, oversees accurate translation of court materials, addresses statutory and rule changes, and manages interpreter certification.

The four judicial districts. The AOC tracks language data quarterly in each of the four judicial districts to determine the languages for which interpreters are requested.

Such monitoring involves the frequency with which interpretation services are required in those languages, and whether the services are requested in civil or criminal proceedings or in interactions outside of the courtroom.

III. Plan to Provide Access to Court Services. The ACS is working internally, and with partners to expand access to services for LEP individuals.

Alaska Supreme Court Fairness & Access Committee efforts.

The Alaska Supreme Court's Fairness and Access Implementation Committee established an Interpreter Task Force in 1996. The Interpreter Task Force was responsible for implementing

recommendations regarding use of interpreters in court proceedings. These recommendations fell into four main areas: training judicial officers, training court interpreters, establishing qualifications and ethical standards for interpreters, and developing new rules governing appointment and payment of interpreters.

In March 2007, the Alaska Supreme Court Fairness and Access Implementation Committee reviewed the progress of the Interpreter Task Force and made further recommendations. In 2009, two separate committees were created. The Access to Civil Justice Committee, chaired by the Honorable Justice Daniel E. Winfree, Alaska Supreme Court, undertakes projects to enhance legal services and pro bono service, and to provide assistance to self-represented litigants. The Fairness, Diversity, and Equality Committee, chaired by the Honorable Chief Justice Dana Fabe, Alaska Supreme Court, sponsors projects and initiatives aimed at increasing racial, ethnic, and gender diversity on the bench and throughout the profession and to eliminate racial, ethnic, and gender disparity in the justice system. The ACS continues to work on the implementation of these committee's recommendations.

Language Interpreter Center. The fundamental challenge to the delivery of justice when linguistic minorities appear in court as litigants or witnesses is the absence of professional, competent interpreters. Recognizing the overwhelming need for quality and competent language interpretation and the lack of these services throughout Alaska, the administrative director appointed senior administrative personnel to address this issue.

For a number of years, individual agencies and groups made fragmented attempts to address the individual aspects of competent interpretation services to comply with Title VI and Executive Order 13166. Realizing that no one entity had the financial and human resources to sustain such efforts, the ACS hosted three Language Interpreter Summits to address this unmet need. The Summits brought together approximately 30 government agencies, nonprofit and for profit entities, and Native groups. At the time, there was no comprehensive system for identifying interpreters and linking them to the organizations in need of their services. In addition, there were too few qualified language interpreters in the state, no programs for providing necessary training, and no system for screening, testing, and certifying interpreters. As a result of the Summits, 20 founding stakeholders committed human resources, technical assistance, and financial support to develop a statewide LIC.¹⁶

In 2007, the LIC was established under the auspices of the Alaska Immigration Justice Project (AIJP). The LIC (1) provides trained interpreters to government, business, and service organizations for LEP persons; (2) trains interpreters and translators; (3) develops and implements a system for linking customers with qualified interpreters and translators; and, (4) offers training for Center stakeholders and other groups on the roles, responsibilities, and professional ethics of interpreters.¹⁷

The LIC has demonstrated such good results that the LIC has been asked to assist other states and organizations with the planning and implementation of their own service delivery models.¹⁸

-

¹⁵ Appendix E: 2007 Status Report of the Alaska Supreme Court Fairness and Access Implementation Committee

¹⁶ Appendix F: Statewide Language Interpreter Needs Survey Summary Report (Sept. 2005), and Executive Summary: Final Report on Continued Development of the Oral Language Interpreter Center (Dec. 2006).

¹⁷ See Language Interpreter Center located at http://www.akijp.org/interpreter.html

¹⁸ See NCSC 2008 Future Trends in State Courts, *Language Access Centers: A Win-Win Idea*, Wanda Romberger, at http://www.ncsconline.org/D_Comm/PressRelease/2008/FutureTrends08.html (pages 8-10).

The Migration Policy Institute invited the LIC and ACS to host a webinar for 125 government representatives in the United States. The LIC also presented at the National Legal Aid and Defender Association and at a language access conference in Hawaii and Washington. The LIC model was showcased at the 2008 Court Solutions Conference, the 2008 NCSC report, Future Trends in State Courts, and was featured in the National Center for State Courts (NCSC) 2012 Language Access Summit in Houston, Texas. The ACS is a major stakeholder in the Center and assists in the development of its interpreter training programs as a way to ensure meaningful access to court services for LEP individuals.

Since 2007, the LIC has conducted 10 orientation programs for interpreter candidates and over 21 classes addressing legal topics such as civil and criminal procedures, custody hearings, immigration, human trafficking, bail hearings, and arraignments. Over 160 interpreters have completed the orientation program representing over 40 languages. In 2012, the LIC will conduct a three-day interpreter training program for interpreters in the Bethel region. This program will specifically focus on training interpreters of Alaska Native languages.

In August 2010, the Rasmuson Foundation awarded a second four-year \$500,000 grant to build the capacity of the LIC and its long-term sustainability. Currently, over 243 entities use the LIC for interpreter services.

In FY 2012, the LIC filled over 1,298 interpreter and translation requests. The Center responded to 145 requests from the ACS for in-person interpretation services. The top requested languages were Spanish, Korean, Russian, Somali and Yup'ik.

Interpreter roster. The LIC maintains a roster of trained and certified interpreters available for court and other legal proceedings. This roster is also used by private attorneys, law enforcement agencies, and public defenders. To be listed on the LIC's roster, the interpreter must complete an initial orientation program presented by the LIC; demonstrate a minimum level of proficiency of English and the target language through a written and oral assessment; successfully complete the Center's interpreter training program including a court-specific training module; and pass a criminal background check.

Long-Range Plan. The training and testing program is the most crucial part of the effort to improve interpreter services. The first interpreter training was conducted in May 2001. The court system sponsored a free mini-workshop in Anchorage on interpreter ethics and basic interpreter techniques for bilingual individuals providing interpreter services in the legal setting. Although the workshop was well attended it was clear that more deliberate attempts were needed to identify the few individuals with adequate bilingual skills and to provide them with more comprehensive and long-term training. To do so, the court system joined the National Center for State Courts Consortium for State Court Interpreter Certification (NCSC) in 2004. The NCSC serves as a primary resource in the development of the court's training and testing program.

In 2007, the court system provided funding to develop and train legal interpreters through the LIC. Training was conducted by a nationally-recognized interpreter trainer from the Monterey Institute of International Studies. Seventy-one interpreter candidates completed the week-long orientation program in spring 2007. The LIC focused on the top seven target languages identified in the 2005 Statewide Language Interpretation Needs Survey (Spanish, Yup'ik, Russian, Korean, Tagalog, Ukrainian, and Inupiaq). Subsequently, 40 of the 71 interpreters participated in an advanced skill building program in summer 2008. The two programs provided the foundation for court-specific interpreter training conducted in July 2008 and attended by 27 of the 40 interpreters. The court-specific curriculum was based on the recommendations of the

NCSC and was taught by a federally certified interpreter. The program introduced participants to the needs and expectations of the court during legal proceedings with an emphasis on ethical conduct, legal terminology, procedures, and an opportunity to hone consecutive and simultaneous interpreting skills. As a result of this training and ongoing mentoring, the court system and the LIC began administering the NCSC written examination in 2009, and the oral examination in 2010. Forty interpreters have successfully passed the written exam and are eligible to take the oral exams. One Spanish interpreter has successfully passed the oral exam and is recognized as a court-certified interpreter.

The court system has provided opportunities for interpreters to observe court proceedings and, through the LIC, offers ongoing informational classes on court process, case types, ethics, and terminology. The court system schedules LIC interpreters for an increasing number of court proceedings including arraignments, custody hearings, juvenile delinquency cases, and domestic violence proceedings. The court's mediation program is also utilizing LIC interpreters.

Prior to the Center's establishment, the court system's LEP customers were primarily served through friends, family members, or bilingual individuals with limited knowledge of court procedures, legal vocabulary, or interpreter ethics.

Alaska Native languages present specific challenges to court interpreting since native languages are primarily oral languages and a legal vocabulary must be developed. No exams currently exist to assess the oral language skills of Alaska Native speakers. The ACS has initiated discussions with the NCSC to determine steps in developing a Yup'ik oral exam. The LIC and its partners are collaborating with Ilisagvik College and Inupiaq Heritage Center in Barrow to present an introduction to interpretation for Alaska Native language speakers. In October 2012, the LIC will conduct an on-site interpreter training program in Bethel.

Professional Interpreter Qualifications. In 2007, the ACS developed a comprehensive professional interpreter training program with the assistance of the NCSC and in collaboration with the LIC. Currently, there are two recognized levels of professional court interpreters. A third category of trained language assistants aid LEP individuals in their contacts with the court outside of the courtroom.

1. Registered interpreter.

A registered interpreter has successfully completed the interpreter training series provided by the ACS and the LIC. Registered interpreters have completed an orientation program that addresses professional ethics, legal terms, passed an English proficiency test, and completed a criminal background check. Registered interpreters also participate in ongoing professional development classes to improve their understanding of court process and procedures. Some registered interpreters have successfully passed the NCSC written interpreter exam and are eligible to sit for the oral interpreter exam. The LIC maintains a list of registered court interpreters who can provide interpreter services to the ACS.

2. Certified-court interpreter.

A certified-court interpreter has successfully completed all of the requirements for registration and passed a three-part oral performance examination in his/her particular language with a minimum score of 70% overall. Certified-interpreters who successfully pass the oral exam, with these scores, are granted reciprocity with other state court interpret programs. Certified

interpreters from other jurisdictions who have attained certification through another NCSC member state or the National Association of Judiciary Interpreters and Translators (NAJIT) are granted reciprocity in Alaska. Currently, the ACS has one court-certified Spanish interpreter.

3. Language Assistants.

In 2011, the ACS instituted a Language Assistants Program for bilingual court employees. Intended as a way to improve customer service at the public counters and on the telephone for persons of limited English proficiency (LEP), the two-day training develops the skills of court staff fluent in English and another language. While the language assistants do not possess the necessary skills to interpret in courtroom proceedings, they are able to assist court staff with:

- identifying what language a customer is speaking so that the court can provide a trained interpreter in that language;
- identify the language used in a written document so that an appropriate language translator can be located;
- communicate basic information about court hours or provide directions; and
- inform an LEP customer that the court is making arrangements for a trained interpreter to assist them.

Currently the court system has 10 language assistants representing French, Greek, Samoan, Spanish, Tagalog, Latvian, Tongan, and Yup'ik languages.

The ACS is partnering with the New Mexico Administrative Office of the Courts and the New Mexico Center for Language Access to develop a comprehensive online certification program for bilingual employees as language access specialists. It is anticipated that curriculum development will begin in early 2013 with funding from the State Justice Institute. This online program will enable ACS language assistants to improve their bilingual skills and customer service statewide.

Funding efforts. The court system partnered with 20 other entities to obtain a \$450,000 grant from the Rasmuson Foundation (an Alaska-based foundation) to establish the LIC. Since 2007, the ACS has invested over \$80,000 for court interpreters to participate in training programs conducted by the LIC and to train bilingual employees to assist court customers. The court system continues to support these efforts.

The AOC supports S.702, the State Court Interpreter Grant Program Act. S. 702 would direct the Administrator of the Office of Justice Programs of the Department of Justice to make grants establish court interpreter technical assistance programs with the goal of assisting plaintiffs or defendants who have limited English proficiency to better understand state court proceedings in which they are involved.

Each fiscal year the ACS requests funding from the Alaska State Legislature to provide interpreter services. The ACS is committed to pursuing foundation grants and private funding for the LIC's sustainability. The court system continues to access and dedicate operational funds for translating court documents, providing interpreter training, and improving access to court services for LEP individuals.

Translations.

<u>The Family Law Self-Help Center</u> (FLSHC) is a statewide service provided by the ACS to help people represent themselves in family law cases. The Center explains court procedures and which forms are options for different situations. The FLSHC information page is translated into Spanish and Korean. Publication No. 22 *How to Represent Yourself in Alaska's Domestic Violence Protective Orders Process* is available in Spanish. The FLSHC also provides training materials for customers in Spanish.¹⁹

Alaska Court System Intranet/Videos

Translated arraignment scripts are available in Russian, Spanish, and Tagalog.²⁰

Arraignment videos are available in Yup'ik and distributed to appropriate court locations.

A video on how to apply for domestic violence protective orders in an Alaska state court is available in Spanish and Yup'ik.²¹

Signage. The court system has posted signage in Barrow (Inupiaq) and in Bethel (Yup'ik) to meet the primary language needs in these areas. As court facilities are constructed or remodeled, the AOC assesses non-English languages commonly encountered in the service area to determine appropriate signage.

IV. Language Resources

Statewide resources. The AOC collects, creates, and distributes language interpretation resources to judicial officers, court employees, LEP persons, and interpreters. Statewide resources currently include:

- "I speak" cards to assist in identifying what language a person speaks²²;
- translated signage (Barrow and Bethel);
- instructional materials translated in Spanish, Hmong, Russian, Korean and Tagalog for self-represented people in family law matters on the FLSHC webpage;
- a Spanish speaking facilitator who works the FLSHC statewide toll-free telephone helpline;
- arraignment scripts (Russian, Spanish, and Tagalog);
- arraignment DVD (Yup'ik);
- Domestic Violence Protective Orders (Spanish & Yup'ik);
- language access information on the court's Intranet for judicial officers, clerks of court, and court staff;
- Language Line Services (LLS) (telephonic) available 24/7 for customer service clerks and courtroom hearings;
- LIC providing access to court-trained interpreters and interpreter training programs;

¹⁹ The Family Law Self-Help Center is located at http://courts.alaska.gov/selfhelp.htm

²⁰ See http://www.courts.alaska.gov/judges.htm#arraign

²¹ Available at the Family Law Self-Help Center http://www.courts.alaska.gov/shcdv.htm#video

²² See http://www.usdoj.gov/crt/cor/Pubs/ISpeakCards.pdf

- NCSC providing consultation and interpretation resources, state court interpreter rosters, and testing instruments for interpreter certification; and
- trained language assistants able to provide initial service to LEP persons.

Local resources. When an LEP person needs an interpreter, court personnel contact either LLS (available 24/7) the LIC or trained court interpreters in other jurisdictions. Language assistants can help LEP individuals with general information regarding court process.

An interpreter qualified or trained through the LIC, another state court, or LLS is the preferred choice for complex court hearings. However, in cases involving, Alaska Native languages and less commonly used languages, a certified, qualified, or trained interpreter is rarely available. Some courts must still use the services of a bilingual person in the community who may have limited interpretation skills and knowledge of court process.²³

Court staff and judges know that many people who need an interpreter will not request one because they do not recognize the level of English proficiency or communication skills needed to understand court proceedings. Therefore, when it appears that an individual has difficulty communicating, it is necessary for the court to err on the side of providing an interpreter to ensure full access to the courts.

New initiatives. To promote access to justice for persons of limited English proficiency, the court system is:

- providing tuition reimbursement for court employees to take language classes to improve language skills;
- collaborating with the LIC to conduct professional interpreter training programs in Anchorage, Bethel, Barrow, and Fairbanks;
- translating instructions for online payment of fines in the top five languages identified;
- administering the NSCS written and oral exams to expand the list of qualified and certified court interpreters;
- revising court rules regarding the provision of interpreter services and the payment of interpreters;
- translating arraignment scripts in Yup'ik, Korean, and Hmong;
- reviewing language access issues during the court system's website redesign project;
- reviewing procedures for identifying the need for interpreter services when cases are filed:
- collaborating with the New Mexico Administrative Office of the Courts to develop curriculum for an online bilingual employee training program;
- actively posting information for interpreters in the court system's webpage with links to national interpreter resources;
- updating and posting on the courts Intranet, language access resources for judicial officers and court staff;
- tracking data on the number of requests, per judicial district, for language interpreter services;
- participating in NCSC language access committees, summits, and programs; and
- providing language access updates for judicial officers, clerks of court, and court staff.

_

²³ Currently, Language Line Services does not have interpreters for any of the Alaska Native Languages.

V. Training

Judicial/attorneys. The administrative director contracted with the NCSC to present at a statewide Alaska judicial conference in April 2004. The program focused on working with interpreters, interpreter ethics, the roles and responsibilities of interpreters in court proceedings, and interpretation needs and difficulties. In 2007, 2008, and 2010 the LIC presented professional development programs for judicial officers and attorneys on interpreter ethics and working with interpreters. The Alaska Bar Association approved CLE credit for this training. Administration gives regular updates on court interpreting issues at judicial conferences, magistrate conferences, supervisory training programs, statewide clerks' conferences, and administrative meetings. In October 2011, the ACS provided training for the magistrates during their annual statewide conference.

Staff training. Court personnel are informed on ways to identify language needs and how to access appropriate interpretation services. As the Language Interpreter Center and administrative staff visit Alaska communities, training is provided to court staff on interpreter issues and accessing interpreter services.

As a result of the LIC and court system training programs, the LIC can provide trained interpreters in over 40 different languages possessing varying degrees of familiarity with legal terms and courtroom procedures.

Language access services are included in the court's customer service and diversity training program.

In 2012, the FLSHC provided training to staff at 26 superior court locations regarding the court's responsibility to provide interpreter services for LEP customers in domestic violence protective order cases. Information was given on accessing interpreter services through the LIC and LLS.

VI. Public Input

Copies of this language assistance plan are provided to the public upon request. The plan is reviewed and revised periodically to reflect collected data, updated census information and other findings.

VII. Monitoring

Evaluation of the language assistance plan. Periodically the statewide Language Assistance Plan is reviewed by the AOC. Elements of the review include:

- 1. number of LEP persons assisted by court interpreters;
- 2. determination if additional services or translated materials should be provided;
- 3. assessment of whether staff adequately understand language assistance policies; and,
- 4. feedback from appropriate groups and individuals.

Under the statewide language assistance plan, the AOC assesses the language needs of each district, and determines if changes to the statewide plan are required. This may involve tracking the number of interpreters requested for each language, consulting new demographic information, and observing trends in court usage by LEP individuals. This information is disseminated to the four judicial districts so they are able to respond to their LEP populations. Complaints regarding language access services or about interpreters who have allegedly engaged in unethical or unprofessional conduct in the course of performing their interpreter duties should be addressed to

> Language Services Coordinator 820 W. Fourth Avenue, Anchorage, Alaska 99501 907.264.8266 (phone), 907.264.0693 (fax) baiken@courts.state.ak.us

This amends the original language access p	lan issued on July 2009.	
Administrative Director Alaska Court System	Date	
Language Access Plan, September 2012		14 P a